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National Marine Electronics Association

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OFFICE OF THE SECRETARY
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON DC 20554

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IN THE MATTER OF

AMENDMENT OF THE COMMISSION'S
RULES CONCERNING THE INSPECTION
OF RADIO INSTALLATIONS ON LARGE
CARGO AND SMALL PASSENGER SHIPS

) CI DOCKET NO. 95-55
)
)
)

RE: NPRM FCC 96-194
COMMENT DATE: MAY 24, 1996

DEAR MR. SECRETARY:

THE NATIONAL MARINE ELECTRONICS ASSOCIATION (NMEA), A NON-PROFIT TRADE ASSOCIATION DEDICATED TO THE MARINE ELECTRONICS INDUSTRY, INCORPORATED IN THE STATE OF NORTH CAROLINA AND OPERATING FROM ITS NATIONAL OFFICE AT POST OFFICE BOX 3435, NEW BERN, NORTH CAROLINA, 28564-3435, WISHES TO VOICE ITS COMMENTS TO THE COMMISSION REGARDING THE ABOVE MENTIONED DOCKET (CI DOCKET NO. 95-55) MEETING THE ABOVE MENTIONED DEADLINE OF MAY 24, 1996.

AFTER THOROUGH EXAMINATION OF THE INFORMATION PRESENTED, THE NATIONAL MARINE ELECTRONICS ASSOCIATION (NMEA) SUBMITS THE FOLLOWING:

PERTAINING TO STATEMENT #16 (PAGE 9):

#1 NMEA SUPPORTS THE COMMISSION'S PROPOSAL THAT THE PRIVATE SECTOR CAN CONDUCT SHIP INSPECTIONS THAT ARE THOROUGH AND COMPLETE BY UTILIZING AN FCC-LICENSED TECHNICIAN.

UTILIZING FCC-LICENSED TECHNICIANS INSTEAD OF A SPECIFIC PRIVATE SECTOR ORGANIZATION ENLARGES THE FIELD OF QUALIFIED INSPECTORS AND PERMITS SHIP OWNERS AND OPERATORS TO ARRANGE FOR INSPECTIONS AT THEIR CONVENIENCE. AND SINCE FCC-LICENSED TECHNICIANS ARE CALLED IN ADVANCE TO EVALUATE THE EQUIPMENT PRIOR TO THE INSPECTION, THE VESSEL OWNER WILL SAVE TIME AND MONEY BY HAVING THE SAME PERSON TAKE CARE OF BOTH JOBS.

NMEA HAS MORE THAN 350 MEMBERS ENGAGED IN THE MANUFACTURE, SALES, INSTALLATION AND SERVICE OF MARINE ELECTRONIC EQUIPMENT. OF THE APPROXIMATELY 200 NMEA MARINE ELECTRONIC DEALERS LOCATED THROUGHOUT THE UNITED STATES AND CANADA, MOST HAVE FCC-LICENSED TECHNICIANS ON

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STAFF. UTILIZING FCC-LICENSED TECHNICIANS FOR INSPECTIONS WILL ENABLE THESE DEALERSHIPS TO INCREASE BUSINESS AND POSSIBLY CREATE NEW JOBS.

#2 NMEA SUPPORTS THE COMMISSION'S PROPOSAL THAT SPECIFIES WHAT CLASS OF FCC LICENSE IS REQUIRED FOR EACH SHIP INSPECTION AS OUTLINED IN #16A, #16B AND #16C ON PAGE 9.

NMEA ENDORSES THE FACT THAT DIFFERENT LEVELS OF EXPERTISE AND LICENSES ARE NEEDED FOR INSPECTIONS AND SUPPORTS THE PROPOSED CATEGORIES AS OUTLINED IN THE TABLE (80.59) IN APPENDIX C.

PERTAINING TO STATEMENT #17 (PAGE 9):

#3 NMEA SUPPORTS THE COMMISSION'S PROPOSAL THAT TWO INDEPENDENT CERTIFICATIONS REGARDING INSPECTION BE REQUIRED; ONE BY THE FCC-LICENSED TECHNICIAN AND ONE BY THE VESSEL OWNER, OPERATOR OR SHIP'S MASTER.

THE INSPECTION BY THE FCC-LICENSED TECHNICIAN VERIFIES THAT THE RADIO INSTALLATION PROVIDES SAFETY COMMUNICATIONS CAPABILITY AT THE TIME OF INSPECTION. THE RESPONSIBILITY OF THE VESSEL'S SAFETY COMMUNICATIONS CAPABILITY AT ALL OTHER TIMES YIELDS TO THE VESSEL'S OPERATOR AS MANDATED BY THE COMMISSIONS ACT AND THE SAFETY CONVENTION.

#4 NMEA SUPPORTS THE COMMISSION'S PROPOSAL THAT THE VESSEL'S OWNER, OPERATOR, MASTER, OR EMPLOYEES OR THEIR AFFILIATES NOT BE PERMITTED TO CONDUCT THE REQUIRED INSPECTIONS.

THIS REQUIREMENT ADDS VALIDITY TO THE INSPECTION.

#5 NMEA SUPPORTS THE COMMISSION'S PROPOSAL THAT THE FCC-LICENSED TECHNICIAN/INSPECTOR BE PERMITTED TO ISSUE A CERTIFICATE ON BEHALF OF THE UNITED STATES AND THAT SUCH CERTIFICATE WILL SATISFY THE REQUIREMENTS OF BOTH THE COMMUNICATIONS ACT AND THE SAFETY CONVENTION.

PERTAINING TO STATEMENT #18 (PAGE 10):

#6 SHOULD THE COMMISSION ENTER INTO CONTRACTS WITH FCC-LICENSED TECHNICIANS REGARDING SUCH INSPECTIONS?

NO. IF ENDORSEMENT IS ENTRUSTED TO A FCC-LICENSED TECHNICIAN, THEN CONTRACTS ARE AN UNNECESSARY BURDEN TO BOTH THE COMMISSION AND THE FCC-LICENSED TECHNICIAN.

#7 DO THE MINIMUM LICENSING REQUIREMENTS WE HAVE PROPOSED ENSURE THAT THE INDIVIDUALS INSPECTING SHIPS ON BEHALF OF THE COMMISSION ARE SUFFICIENTLY QUALIFIED?

YES, HOWEVER THERE IS AN ADDITIONAL MEASURE OF QUALIFICATION WHICH COULD ENHANCE THE MINIMUM LICENSING REQUIREMENTS. THE NATIONAL MARINE ELECTRONICS ASSOCIATION HAS A PROGRAM WHICH CERTIFIES THE FCC-LICENSED

TECHNICIAN HAS ON-HANDS EXPERIENCE ON MARINE ELECTRONIC EQUIPMENT. THE CERTIFIED MARINE ELECTRONICS TECHNICIAN (CMET) PROGRAM HAS BEEN IN PLACE AND WORKING SINCE THE EARLY 80'S. ANY FCC-LICENSED TECHNICIAN WHO HAS AT LEAST ONE YEAR'S EXPERIENCE IN THE FIELD IS ELIGIBLE TO APPLY TO TAKE THE CMET EXAM. THERE ARE THREE GRADES, BASIC, ADVANCED AND SENIOR, EACH PROGRESSING WITH THE TECHNICIAN'S EXPOSURE AND EXPERIENCE IN THE MARINE ELECTRONICS FIELD. CMET TECHNICIANS ARE REQUIRED TO RENEW THEIR CERTIFICATES EVERY THREE YEARS AND ARE REQUIRED TO KEEP ABREAST OF NEW AND CHANGING TECHNOLOGY. THEIR EMPLOYERS ALSO PLAY A VITAL ROLE IN THE PROGRAM AS THEY ARE REQUIRED TO CERTIFY THEIR TECHNICIANS HAVE THE EXPERTISE THEY ATTEST TO HAVE.

WE ARE CURRENTLY REVISING THE PROGRAM TO INCLUDE GMDSS EQUIPMENT/SPECIFICATIONS. IF THE COMMISSION SEES A BENEFIT TO HAVING THE FCC-LICENSED TECHNICIAN ALSO CERTIFIED BY THE NATIONAL MARINE ELECTRONICS ASSOCIATION, WE WOULD CONSIDER INCORPORATING COMMISSION SUGGESTIONS INTO THE REVISED PROGRAM.

#8 WHAT IS THE BEST WAY TO ENSURE THAT SAFETY IS NOT ADVERSELY AFFECTED BY PRIVATIZATION? WE HAVE ENTERED INTO AGREEMENTS WITH THE U.S. COAST GUARD IN THE PAST TO VERIFY THAT SHIPS HAVE VALID CERTIFICATES. IS THIS SUFFICIENT?

CONSIDERATIONS FOR ENSURING SAFETY:

1. INSPECTOR
2. INSPECTION
3. FOLLOW-UP

THE INSPECTOR -- MINIMUM REQUIREMENTS OF AN FCC-LICENSED TECHNICIAN IS A EXCELLENT BASIS FOR SELECTION. HOWEVER THE ADDED SECURITY OF THE NMEA CERTIFIED MARINE ELECTRONICS TECHNICIAN ENSURES THE TECHNICIAN HAS HAD EXPERIENCE ON A VESSEL. THIS ADDED MEASURE CAN ONLY ENHANCE THE INSPECTION AND MAKE IT AS CLOSE TO THE CUSTOMARY FCC INSPECTION AS POSSIBLE.

THE INSPECTION -- A CHECKLIST FOR THE INSPECTOR TO FOLLOW IS A MUST. IN ORDER TO ENSURE SAFETY AND CONSISTENCY, ALL INSPECTORS MUST BE FOLLOWING THE SAME PROCEDURE. LEFT TO MANY CREATIVE MINDS, MANY CREATIVE CERTIFICATION FORMS WILL SURFACE. NMEA STRONGLY SUGGESTS THE COMMISSION ISSUE A STANDARDIZED INSPECTION FORM. AN NMEA-GENERATED STATEMENT OF INSPECTION IS ATTACHED FOR CONSIDERATION.

FOLLOW-UP -- VERIFYING THAT SHIPS HAVE VALID INSPECTION CERTIFICATES IS NEEDED AND NMEA WOULD SUPPORT THE U.S. COAST GUARD PROVIDING THIS SERVICE. NMEA WOULD ALSO SUPPORT RANDOM SPOT-CHECKS BY THE COMMISSION AS AN ADDED SAFETY MEASURE. VESSEL OWNERS, OPERATORS OR MASTERS PLAY AN IMPORTANT ROLE IN CONTINUING TO VERIFY THEIR EQUIPMENT MEETS THE COMMISSIONS REQUIREMENTS. ACCOUNTABILITY PLAYS AN IMPORTANT ROLE IN THE EXECUTION OF A SUCCESSFUL PROGRAM.

THE NATIONAL MARINE ELECTRONICS ASSOCIATION WOULD BE HAPPY TO ASSIST THE COMMISSION BY ACTING AS A WATCH DOG OVER THE FCC-LICENSED AND NMEA CERTIFIED TECHNICIANS/INSPECTORS.

NMEA UNDERSTANDS THE COMMISSION'S DESIRE TO PROMOTE FLEXIBILITY, IMPROVE THE INSPECTION PROCESS BY REMOVING UNNECESSARY AND CUMBERSOME POLICIES, AND TO PROVIDE BETTER SERVICE TO THE PUBLIC. WE STAND READY, WILLING AND ABLE TO ASSIST THE COMMISSION WITH THESE DESIRED CHANGES TO EFFECTUATE A POLICY WHICH WILL CONTINUE TO PRESERVE SAFETY OF LIFE AT SEA.

RESPECTFULLY SUBMITTED,

NATIONAL MARINE ELECTRONICS ASSOCIATION


CINDY ENSLEY
EXECUTIVE DIRECTOR

/CGE

**STATEMENT OF INSPECTION FOR RADIO INSTALLATIONS
ABOARD PASSENGER-CARRYING VESSELS**

VESSEL NAME _____

DOCUMENTATION # _____ CALL SIGN _____

PORT OF REGISTRY _____ GROSS TONAGE _____

VESSEL OWNER _____

ADDRESS _____

PHONE _____

IN ACCORDANCE WITH PART 80, SUBPART S, OF THE CODE OF FEDERAL REGULATIONS, THE ABOVE MENTIONED VESSEL HAS BEEN INSPECTED BY AN FCC-LICENSED (GROL OR HIGHER) TECHNICIAN WHO CERTIFIES THAT THE VESSEL HAS PASSED INSPECTION AND IS IN COMPLIANCE WITH THE COMMUNICATIONS ACT AND THE COMMISSION'S RULES. THE FCC-LICENSED TECHNICIAN ALSO VERIFIES THAT HE/SHE IS NOT AN EMPLOYEE OF THE VESSEL OWNER OR OPERATOR.

TECHNICIAN'S NAME _____

ADDRESS _____

PHONE _____ DATE _____

FCC LICENSE # _____ NMEA CMET # _____

TECHNICIAN'S SIGNATURE _____